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OFFICIAL EXPERT WITNESSES

the race may be improved through educational and other social advances acting upon the environment, we should still be compelled to recognize the fact that there are opposing agencies. These agencies are almost omnipresent and at the same time frequently so disguised that it is practically impossible to maintain continuously that environmental condition which might otherwise possibly favor the improvement of the stock. Among these unfavorable forces is the changed economic status of the mothers of thousands of the present and past generations which makes them wage-earners and thus subjects them to a strain of life to which they are unfitted and all to their own and their offisprings' detriment. Hence we are face to face with the deterioration of the race and our work must continue to be negative quite as distinctly as it is positive-- to keep away harmful while we provide beneficial influences.

ROBERT H. GAULT.

A PROPOSAL FOR OFFICIAL EXPERT WITNESSES.

It has been frequently proposed that there be designated in some way official experts in certain special fields who may be called as witnesses in cases in court involving questions in such special fields. One such proposal is embodied in a proposed statute for the state of New York in an article by Albert S. Osborn in "Fair Play" for January 13, 1912. The reasons advanced for having official experts are mainly that competent experts may be secured, and opportunities for venal and corrupt experts lessened. It is a violent assumption, however, that this object would be accomplished by the appointment of official experts. Such appointments would be sought after by those least qualified for them, and not by the men of the greatest ability and standing in their various fields. It would be too much to expect that the most competent men would be obtained for those positions. It would be difficult to obtain them, and such a provision would be simply opening another door to the endeavors of those who are unscrupulous and lacking in ability. Such a provision is an attempt to add something to the intrinsic worth of the testimony of a witness by giving an official sanction to it. In the case of a man of high reputation and standing and ability, the official position would add little, but it might add much in the case of one of little ability or probity, who might in some way secure such an appointment. The loss would more than overbalance any gain. But such a provision would seem to be particularly objectionable, because it places emphasis on the personality of the witness rather than on the substance of his testimony. The personality of the witness should have nothing to do with the case, except as affecting his

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credibility. The main concern is the information he may impart to the jury. The best and most rigorous test, both of the honesty of the witness and the correctness of his testimony, is the test of cross-examination. An incompetent or venal expert, who might secure an official appointment, could to some extent hide behind it from this weapon. If the cross-examination does not always completely fulfil its functions, it is because of the lack of skill or ability of the examiner in the use of it. It remains, however, the most satisfactory test of the witness that has been devised, both in rigorousness and comprehensiveness. To weaken it in favor of a partial method of uncertain operation would seem to be a doubtful experiment.

EDWARD LINDSEY.

IMMIGRATION AND CRIME.

In the January number of the *American Journal of Sociology*, Dr. Issac A. Hourwich, statistician in the Bureau of the Census, has a timely article on "Immigration and Crime." He takes to task the report of the New York State Superintendent of Prisons for 1909, which charges that the recent increase in crime in the state of New York has been due to the influx of vicious and ignorant classes through immigration. Dr. Hourwich has no difficulty in showing that there is no direct connection between immigration and crime in the United States, popular opinion to the contrary notwithstanding. On the contrary, as he shows, the wave of criminality in New York state, of which the superintendent of prisons complains, coincides with the lowest ebb of immigration, whereas the high tide of immigration for a number of decades past has coincided with a decrease of crime.

What Dr. Hourwich proves in his interesting paper has, of course, long been known to statisticians and sociologists, namely, that there is no *direct* connection in our country between immigration and crime. On the contrary, the average foreign-born citizen of this country is, if anything, slightly more law-abiding than the native-born white American. This is especially true of the immigrants from northern Europe and also of those from Russia. In general, these people come from countries where government and criminal courts are more efficient than in the United States. Hence, among immigrants from such countries there is greater respect for law, despite the fact that these people are away from home in a strange environment, than there is among the average native-born Americans. As Dr. Hourwich shows, the increase of crime corresponds not with the increase of immigration, but rather with periods of economic and industrial depression. In other words, the economic prosperity which favors immigration tends at the same